

## CHAPTER 333

### S.P. 256 - L.D. 886

#### An Act to Establish a Clean Government Initiative

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §282, sub-§6**, as amended by PL 1995, c. 37, §3, is further amended to read:

**6. Supervise.** To supervise and direct the administration of the State Claims Commission; ~~and~~

**Sec. 2. 5 MRSA §282, sub-§7**, as enacted by PL 1995, c. 37, §4, is amended to read:

**7. Value of fringe benefits.** To ensure that all publications that state the salary of an employee or of a position in State Government also include a statement of the dollar value of the fringe benefit package provided. For purposes of this subsection, "fringe benefits" includes an employer's cost of an employee's health insurance, dental insurance and retirement but does not include the amount paid to cover any unfunded liability; ~~and~~

**Sec. 3. 5 MRSA §282, sub-§8** is enacted to read:

**8. Serve as director of Clean Government Initiative.** To serve as a director, along with the Commissioner of Environmental Protection, of the Clean Government Initiative established in Title 38, section 343-H.

Sec. 4. 38 MRSA §342, sub-§17 is enacted to read:

**17. Serve as a director of Clean Government Initiative.** The commissioner shall serve as a director, along with the Commissioner of Administrative and Financial Services, of the Clean Government Initiative established in section 343-H.

Sec. 5. 38 MRSA §343-H is enacted to read:

**§343-H. Clean Government Initiative**

**1. Initiative established; directors.** The Clean Government Initiative, referred to in this section as the "initiative," is established to assist state agencies in meeting applicable environmental compliance requirements and to incorporate environmentally sustainable practices into all state government functions. The initiative is jointly directed by the commissioner and the Commissioner of Administrative and Financial Services, referred to in this section as the "directors."

**2. Duties; responsibilities.** The directors of the initiative shall:

A. Establish a coordinated state government environmental plan to ensure that:

(1) All agencies comply with state and federal environmental laws; and

(2) Environmentally sustainable practices are incorporated into state government planning, operations and regulatory functions;

B. Establish metrics to measure and assess the environmental compliance and performance of state agencies. In developing those metrics, the directors shall seek to achieve continuous improvement in environmental compliance and performance of all state agencies through:

(1) Pollution prevention;

(2) Improvements in energy efficiency, including facility siting, design, construction and management; and

(3) Procurement of environmentally friendly commodities and services, as assessed on a life cycle basis, including technically comparable, cost-effective and reasonably available alternatives to products that

may release dioxin or mercury to the environment, recycling of waste products and enhanced fleet efficiency;

C. Advise and assist state agencies in developing environmental compliance audits and plans and in implementing those plans;

D. Advise the Governor and the Legislature in the formulation of policies for the effective achievement of initiative goals; and

E. Ensure that the capital master plan established under Title 5, section 299 is implemented in a manner consistent with the initiative.

**3. Responsibilities of state agencies.** State agencies shall cooperate with the directors in implementing the initiative and shall provide staff assistance and technical support upon request. In addition, each state agency shall:

A. Complete or demonstrate completion of an audit of its facilities to determine compliance with applicable state and federal environmental laws;

B. Develop a biennial plan that outlines the actions the agency will take to incorporate compliance efforts and environmentally sustainable practices into its planning and operational functions. To facilitate incorporation into the biennial budget process, these plans must be submitted to the directors prior to June 1st of each even-numbered year, beginning in 2002;

C. Appoint an employee in the agency to be responsible for ensuring the development and implementation of agency activities under the initiative; and

D. Establish standards for leasing or building state facilities consistent with the initiative.

Each agency shall fund costs associated with implementing this initiative from within existing budgeted resources.

**4. Reporting.** Beginning on January 1, 2003, and biennially thereafter, the directors shall jointly report on the activities of all state agencies under the initiative to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over state government matters. The report must identify the successes of and the obstacles to implementation of the initiative and may include recommendations for any statutory changes necessary to accomplish the initiative.